

**ADMINISTRATIVE RECORD**

05/30/1990 08:02 FROM EPA Reg8 REGIONAL COUNSEL TO

1262316 - R8 SDMS

0212430

**Administrative Record**  
**SF File Number**  
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MAY 29 1990

May 29, 1990

VIA HAND DELIVERYSuzanne J. Bohan, Esquire  
Office of Regional Counsel  
United States Environmental Protection Agency  
Region VIII  
999 18th Street  
Denver, Colorado 80202-2405

RE: East Helena Site - June 13 Meeting

Dear Suzanne:

We are writing to confirm our understanding of the schedule for continuing negotiations on the consent decree to implement the Process Ponds Record of Decision at the East Helena Site. First, we are to receive a revised consent decree, including all of EPA's and the Department of Justice's comments, for the Process Ponds operable unit by close of business on June 7, 1990. While we recognize that a number of people must review and comment on the proposed decree, we would appreciate receiving the draft with your comments as soon as possible, and certainly no later than June 7, 1990. Second, a meeting to discuss the consent decree and accompanying comments has been scheduled for 1:30 p.m. on June 13, 1990 at EPA's offices in Denver.

As we discussed on the phone, we are extremely concerned about receiving EPA's comments in mid-June and the short time remaining before the July 1, 1990 expiration of the current 60-day period for negotiations. This leaves only two short weeks within which to arrive at a mutually acceptable consent decree for the process ponds. Based on past experience, we are certain that this is not a sufficient amount of time to conclude negotiations, particularly considering the current status of the negotiations. Therefore, Asarco formally requests that an additional 60-day extension be granted in which to conclude

Site East HelenaFile # 2.06Confidential: Yes ☐ No ☒Admin. Record: Yes ☒ No ☐Key Words/Comments ASARCO's request  
for a second extension of  
negotiation period for the  
Process Ponds consent decree

Copies to:

John W.  
Bob F.

0212431

Suzanne J. Boh. Esquire  
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negotiations; and that the extension be granted prior to  
June 13, 1990.

If there are any revisions to this schedule, please  
contact us as soon as possible.

Yours truly,

*Peter W Downing*  
Cynthia S. Leap  
Peter W. Downing  
for Holland & Hart

cc: William O. Hart, Esquire  
Mr. J. Bryan Davis  
Mr. Jon C. Nickel  
Mr. Donald A. Robbins  
Michael R. Thorp, Esquire  
Frank H. Morison, Esquire